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County of Yolo

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BOARD OF SUPERVISORS

September 21, 1999

CalFed Bay-Delta Program
Attn: Rick Breitenbach
1416 Ninth Street, Suite 1155
Sacramento, CA. 95814

Subject: Comments on the Revised Draft Program Environmental Impact Statement Environmental Impact Report (EIS/EIR) for the CalFed Bay-Delta Program.

Dear Mr. Breitenbach:

This letter is to respond to the Revised Draft Programmatic EIS/EIR for the CalFed Bay-Delta Program. The issues discussed in the EIS/EIR will profoundly affect the future of Yolo County and deserve a thoughtful and comprehensive review. Such deliberations were frustrated, however, by the extremely narrow review period that limited comments on a 15-volume, 2,500 page document to a mere 45 days. It is difficult to accept the promise of achieving "broad public acceptance" of solutions, as espoused in CalFed's mission statement, when CalFed has intentionally restricted the opportunity for analysis. This program will determine much of California's economic and environmental health over the next three decades. The complicated proposals included in the Bay-Delta Program require much more time to evaluate and confer with other affected parties than was allowed. We sincerely hope that the abrupt timeframe permitted for comments on the EIS/EIR is not indicative of CalFed's general attitudes towards those of us in the public who will bear the brunt of proposed policies.

The Board of Supervisors is deeply committed to the well-being of the Bay-Delta region and its tributaries. After all, the Sacramento River and Yolo Bypass form our eastern border and we are traversed by major tributaries such as Putah Creek, Cache Creek, the Colusa Drain, and the Knights Landing Ridge Cut. Similarly, most of the southern portion of the County lies within the legal boundaries of the Delta region. Yolo County has closely followed the progress of CalFed and supports the general goals to improve environmental health, secure water supplies, enhance water quality, and strengthen Delta levees. However, we have grave concerns about the serious consequences resulting from the Bay-Delta Program in its present form. The following comments detail our objections.

Agricultural Land Use

Yolo County has long supported efforts to expand habitat opportunities and to integrate agriculture with the needs of wildlife. The Yolo Basin Foundation, Willow Slough Management

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Plan, and Cache Creek Resources Management Plan are all excellent examples of programs that have successfully balanced agricultural and natural resources. However, the County does not support the scale and intensity of the programs currently being proposed by CalFed.

Over 34,000 acres of farmland in the Sacramento Valley could be converted to habitat and water storage uses by the Bay-Delta Program (EIS/EIR: pp. 7.1-21 and 22). Habitat, water storage, setback levees, and transfer facilities may convert another 167,000 acres of farmland in the Delta (EIS/EIR: pp. 7.1-8, -17, -20, 25; and 7.2-13). Over the next thirty years, it is estimated that the maximum forseeable loss of important farmland (as defined by the California Department of Conservation) due to implementation of the Bay-Delta Program is 243,000 acres (EIS/EIR: p. 7.1-29), or 8,100 acres per year on average. In comparison, the EIS/EIR anticipates that approximately one million acres of farmland will be converted to urban development by 2040 (EIS/EIR: p. 7.1-29), or 25,000 acres per year. However, while conferences and newspaper articles regularly decry urban sprawl and its effects on the most productive farm region in the nation, little is said about the similarly profound impacts of CalFed on the future of agriculture in California.

The Bay-Delta Program will convert one acre of farmland for every three acres developed by all cities and counties within the study area combined. Together, urban development and the CalFed Program will convert 14.5 percent of the 6,834,600 acres of important farmland within the Central Valley to non-agricultural uses by 2030. The cumulative impacts of these agricultural losses cannot be understated and demand serious and aggressive mitigation strategies to ensure the continued viability of California farmers.

Numerous mitigation strategies are proposed to partially reduce the unavoidable adverse impacts associated with permanent agricultural conversion resulting from the Bay-Delta Program, (EIS/EIR: pp. 7.1-2 and -3). Proposals to support the Agricultural Land Stewardship Program, restore existing degraded habitat before converting agricultural land, develop new habitat on public lands before acquiring private farmland, and include provisions in floodplain restoration areas for compatible agricultural practices are all good ideas, but they do not go far enough. More must be done to protect our increasingly limited supply of productive farmland. We strongly urge CalFed to adopt additional mitigation measures, including:

1. Require one acre of farmland be placed into a permanent agricultural conservation easement for each acre of farmland converted to non-agricultural uses. As a measure of its commitment to preserving the agricultural industry, Yolo County is in the process of adopting an ordinance to require such a 1:1 offset for all agricultural conversion within the county and believes that similar requirements are needed to protect the long-term interests of agriculture.

2. Set aside portions of new water developed through storage and conjunctive use for the expansion of agriculture in previously underdeveloped areas. Some land that is currently being used for grazing and cover crops may be suitable for viticulture and/or orchards if additional water supplies were made available.

3. Direct the conversion of agricultural land to areas where soil quality is poorer. Habitat should be placed on lands that do not contain prime soils, which should be preserved for strictly agricultural activities.

4 Where the agricultural conversion of prime farmland is unavoidable, remove the upper soil layer and use it to augment non-prime agricultural lands Wetlands and other habitats do not require Class 1 and 2 soils. However, these valuable resources can be transplanted to nearby agricultural fields and mixed in with native soil layers to substantially improve their productive capacity.

It should be noted that even with the inclusion of these mitigation measures, the staggering loss of agricultural land proposed under the CalFed Program will be significant, unavoidable and adverse.

Yolo County has a long history of actively supporting and preserving its agricultural heritage and is deeply concerned about the future viability of agriculture in the Delta and Sacramento Valley regions. CalFed advocates an adaptive management approach that emphasizes public involvement. We strongly urge CalFed to begin a sustained and honest dialogue with local government and other affected parties to develop specific implementation strategies that ensure a place for farming in California's future.

Agricultural Economics and Social Issues

Given the scale of agricultural conversion, it is not surprising that the impacts to rural counties are expected to be dire under the Bay-Delta Program. In general, the conversion of farmland is expected to result in a gross annual revenue loss to the agricultural industry of $500 to $2,000 per acre. In the Delta, total gross revenue losses resulting from the CalFed Program are expected to total $82 to $243 million annually (EIS/EIR: pp. 7.2-12, -13, and -14). This represents between 14 and 41 percent of the total value of agricultural products grown in the Delta each year. Similarly, the Bay-Delta Program is estimated to reduce total gross revenue losses in the Sacramento Valley by $49 to $83 million (EIS/EIR: pp. 7.2-15 and -16). This represents between 1 and 4 percent of the total annual value of agricultural products grown in the Sacramento Valley. Another $22 to $65 million in annual crop revenue losses are expected in the San Joaquin Valley (EIS/EIR: p. 7.2-19).

Based on the aforementioned numbers, it appears that CalFed is proposing to devastate the Central Valley's agricultural industry, reducing annual revenues by $153 to $390 million a year. The total costs to farmers over the thirty-year life of the Bay-Delta Program could run as high as $11.7 billion. This decision will have long-lasting impacts to agriculturally dependent jurisdictions such as Yolo County. Ironically, this blow comes at a time of economic growth for the Delta and Sacramento Valleys, after suffering from many years of economic recession.

These revenue losses will result in the estimated loss of nearly 25,000 jobs in the Delta and Sacramento regions (EIS/EIR: pp. 7.10-9; and 7.3-13 through -16). The majority of losses will likely occur in the agricultural industry, where the total farmworker labor force in both regions was only 17,000 in 1990 (EIS/EIR: p. 7.3-7). Job losses will primarily fall on the most vulnerable members of our community, many of whom already belong to households with incomes below the poverty line. Farm income may decline and the number of farmers may be

reduced (EIS/EIR: p. 7.3-13). Even more unbelievable is the fact that this economic devastation is the result of deliberate government policy, funded by the taxpayers who are being asked to accept this painful burden.

In addition to the complete conversion of farmland to non-agricultural uses, CalFed has included programs to "cooperatively manage" between 151,000 and 186,000 acres of agricultural land to enhance wildlife benefits in the Colusa and Delta Management Zones (Ecosystem Restoration Program Plan: pp. 98, 236, and 237). Proposed management practices include the following:

1. Increase the area of Delta corn fields and pastures flooded in the winter and spring to provide high-quality foraging habitat for wintering and migrating waterfowl and shorebirds and associated wildlife.

2. Periodically flood pasture from October through March in portions of the Delta relatively free of human disturbance to create suitable roosting habitat for wintering greater sandhill crane, and for other wintering sandhill crane subspecies.

3. Create permanent or semipermanent ponds in Delta farm areas that provide suitable waterfowl nesting habitat but lack suitable brooding habitat, to increase resident dabbling duck production.

4. Increase the area of rice fields and other crop lands flooded in winter and spring to provide high-quality foraging habitat for wintering and migrating waterfowl and shorebirds and associated wildlife.

5. Convert agricultural lands in the Colusa Basin Ecological Management Zone from crop types of low forage value for wintering waterfowl and other wildlife to crop types of greater forage value.

6. Defer fall tillage on rice fields in the Colusa Basin Ecological Management Zone to increase the forage for wintering waterfowl and associated wildlife.

7. Reduce the adverse effects of herbicides, pesticides, fumigants, and other agents that are toxic to fish and wildlife in the Colusa Basin Ecological Management Zone. Work with the local agricultural interests and water districts to implement and evaluate a contaminant effects study.

The EIS/EIR looks only at the impact of farmland conversion and fails to include analysis of the effects that these management practices will have on agriculture. Although these lands will not be permanently converted to nonagricultural uses, the proposed management practices will result in reduced crop yields, which will decrease economic multiplier effects for the local economy. If fewer crops are grown or if a portion of the harvest is eaten by wildlife instead of sold, there will be less for local facilities to process. The impacts of agricultural management practices on the local economy and society should be evaluated in the Final EIR/EIS.

Numerous strategies are proposed to alleviate the impacts to agriculture created by the Bay-Delta Program. These include: fair market value for crops and land acquired; financial

assistance to growers for increasing agricultural production using less water and higher value crops; scheduling construction activities to allow current crops to be harvested prior to conversion; adoption of stronger tax and other incentives for long-term agricultural zoning; and support for growers interested in implementing value-added programs, such as hunting and birdwatching (EIS/EIR, p. 7.2-12).

Although financial assistance to farmers to improve crop production would be helpful in partially relieving projected impacts to the agricultural economy, many of the other proposed mitigation measures are poorly conceived. Fair market value payments are already mandated by state and federal law. Scheduling construction activities to allow an additional harvest provides one-time benefits only and does nothing to reduce the permanent loss of productive capacity. Finally, stronger zoning and tax incentives are subject to changing politics and economics and are not as effective as permanent conservation easements. Instead, stronger and more effective mitigation measures are required, such as:

1. Increased subvention funding and property tax cost sharing, so that counties can adequately fund the maintenance of rural infrastructure which farmers depend upon, such as roads, drainage facilities, and flood control.

2. Legislation and funding for rural development zones, to pay for the provision of the infrastructure needed to attract agricultural processing industries and increase the value of local commodities.

The environmental analysis states that the substantial conversion of agricultural land in the Delta Region could shift some production to desert areas in southern California, such as the Imperial Valley (EIS/EIR, p. 7.2-22). It also suggests that while farmland could be taken out of production in the Delta, agricultural acreage may increase in the San Francisco Bay region (EIS/EIR: p. 7.14-9). Meanwhile, the Bay-Delta Program may generate improvements in water quality, supply, and reliability in the San Joaquin Valley that could allow additional agricultural land to be developed and a shift to higher value crops. Further, these benefits could result in urban population and economic growth in the San Joaquin Valley (EIS/EIR: p. 3-4). Ironically, this would occur at the same time that the tens of thousands are scheduled to become unemployed in the Delta and Sacramento regions.

CalFed appears to be taking a dangerous gamble with local economies, hurting thousands of families and business owners in the process. It is reckless to advocate the loss of 25,000 jobs, primarily in rural areas where unemployment levels have long been difficult to reduce. In addition, the above measures do not guarantee sufficient funds to local governments that will offset the tremendous costs associated with the CalFed experiment. Counties have been given the challenging responsibility for moving people from welfare into the workforce. The layoffs and loss of farm income projected in the EIS/EIR will greatly increase the demand for local work programs, thus straining our already limited financial resources. State revenue transfers are not an adequate substitute for a vigorous and thriving local market economy.

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Agricultural Social Issues

The previous section detailed widespread economic disruption in the rural areas of the Delta and Sacramento Valley, as policies from the CalFed Program are implemented. Severe economic and social impacts could particularly harm minority communities, especially Hispanics who make up the majority of farmworkers in the affected areas. These impacts include the loss of agricultural jobs, relocation of homeowners from habitat restoration areas, reduced groundwater supplies, and the displacement of low-income housing (EIS/EIR: p. 7.14 11). Expected benefits to minority communities include improved surface water supplies, flood protection, better water quality, increased recreational employment, and improved hunting and fishing that may supplement diets (EIS/EIR: p. 7.14-12).

Inexplicably, the EIS/EIR states that the benefits of the Bay-Delta Program generally outweigh the short-term adverse effects. Consequently, the analysis concludes that the CalFed Program will not result in any unavoidable adverse effects related to environmental justice (EIS/EIR: p. 7-14-12). The County does not agree with this conclusion. It is exceedingly abstract to argue that most families would prefer a better environment and recreational opportunities to having a job and a home. Apparently, greater efforts are needed by CalFed to listen to the needs of minority communities.

Measures are proposed to alleviate the adverse social effects cause by the economic dislocation associated within the CalFed Program (EIR/EIS: pp. 7.3-13 through -15). These include:

1. Support local governments and workers faced with increased demand for social services resulting from labor displacement;

2. Support training and educational opportunities, job referral and placement services, and job retraining for unemployed individuals to reenter the workforce;

3. Include clauses in restoration and construction contracts that require use of the local workforce to the extent possible.

4. Provide opportunities for alternative industries to develop, such as recreation.

5. Support limitations on the amount of acreage that can be fallowed in a given area.

Rural areas in the Sacramento Valley that are still dependent upon agriculture, such as Yolo County, will suffer a disproportionate economic impact as a result of CalFed policies. Approximately 7.5% of the local labor force depend upon agriculture. Overall, farm production and associated activities account for about 19% of total gross revenues. A UC-Davis study of the effects of the 1991 water banking program estimated that the transfer of 151,000 acre-feet from Yolo County reduced farm income 5% and increased agricultural unemployment 4.7%. It is likely that the consequences of CalFed will be far greater than the comparatively less ambitious water bank program. State and federal financial assistance to address these impacts must be sufficient to address the specific needs of each jurisdiction throughout as each phase of the Bay-Delta Program is implemented and should not be considered a one-time fix .

While Yolo County is already promoting a tourist and recreation industry, through its Economic Development Program, it is unrealistic to expect that one segment of the economy can replace the losses expected to occur in agriculture as a result of the CalFed Program. Finally, the County must go on record once again to state that the concept of fallowing as a means to increase the supply of water available for transfer cannot be supported in any form.

The environmental analysis estimates that restructuring may result in a higher demand for *social services, increased crime, and loss of local small businesses (EIS/EIR: p. 7.3-13).* These are unacceptable social consequences for our communities and small towns, many of which are already struggling to remain economically viable. The Bay-Delta Program will have profound and potentially dire consequences for the future quality of life in Yolo County. The redistribution of jobs and wealth from the Delta and Sacrament Valley to other regions of California will be largely paid for by those who are least able to afford it. It is critical that policies be reexamined to ensure that the extensive benefits and pain associated with the CalFed Program are equitably balanced for all concerned.

Water Supply and Management

It is anticipated that more agricultural water will be conserved as a result of the CALFED program in the Sacramento Valley than any other region analyzed in the EIR/EIS. In fact, CALFED expects that more agricultural conservation will occur here than the Delta, West San Joaquin Valley, San Francisco Bay, Central Coast, and South Coast combined (Water Use Efficiency Program Plan: p. 1-8). The total amount of water estimated to be annually recovered as a result of the CALFED program is 3,631,000 acre-feet. Of this total, 19 percent or 689 acre-feet annually, is expected to come from the Sacramento Valley. We note that once again, this is more than any other single region within the study area.

The EIS/EIR identifies several potentially significant adverse impacts associated with water transfers. Proposed mitigation strategies to remediate these impacts are extremely vague and speculative, and may include Environmental Water Accounts, water efficiency and recycling, improvements in conveyance, and storage. This is one of the most critical issues in the Bay-Delta Program *and requires far more detail regarding how water transfers will be mitigated.* Section 15126.4 of the CEQA Guidelines requires that mitigation measures in an EIR must not be deferred, must be fully enforceable, and may establish performance standards. We recommend that the Final EIR include specific, binding, implementable mitigation measures that protect the water supply of local jurisdictions. Yolo County supports the idea of a well-regulated water transfer market within the area of origin, involving willing sellers and buyers. We would vigorously oppose any attempts to pressure water rights holders to consent to user-initiated transfers or widespread fallowing as the primary source of water for the CALFED program.

The development of new storage facilities is imperative to provide the water required to implement the Bay-Delta Program. The EIS/EIR cites the potential loss of farmland associated with the construction of new storage facilities, but acknowledges that they are far less than those that will be required to carry out the Ecosystem Restoration Program Plan. Similarly, the costs of developing such facilities may be expensive, but so will the economic damage wrought by CalFed on the Delta and Sacramento Valley. Yolo County will watch with great interest the development of the Integrated Storage Investigation to study various water storage options.

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Northern agriculture must not be expected to shoulder the primary responsibility to provide water for environmental restoration, San Joaquin farmland, and Southern California development. WE CANNOT POSSIBLY SUPPORT ANY CALFED PLAN THAT DOES NOT INCLUDE A STORAGE COMPONENT.

The Yolo Bypass carries five-sixths of the volume of the Sacramento River at peak floodflows, including 100% of any flows greater than 55,000 cfs, as measured at Verona. General estimates are that levees along the Bypass currently provide about 65-year flood protection. The EIS/EIR notes that removing diversion structures and other obstructions to flow in the Sacramento River tributaries could increase flooding downstream (EIS/EIR, p. 7.8-30). On the other hand, CalFed also proposes to reduce the impediment to flows caused by the railroad causeway paralleling Interstate 80 and to remove levees along the lower Sacramento Ship Channel, which will possibly increase the flood bearing capacity of the Yolo Bypass (Ecosystem Restoration Program Plan - Volume 2: p. 69). Any solution approved under the Bay-Delta Plan must ensure that the flood capacity of the Yolo Bypass is not diminished from its current volume. Moreover, proposals to improve the existing levee system and increase flood capacity within the lower Cache Creek and the Yolo Bypass would receive strong support from Yolo County.

In addition, the EIS/EIR states that an extension of the Tehama-Colusa Canal could provide additional flows to the Yolo Bypass during the spring, summer, and fall seasons, to sustain fish migrations, wetlands, and riparian habitat (Ecosystem Restoration Program Plan - Volume 2: p. 347). Water may also be conveyed to potential off-stream reservoir sites. Water temperature in the Sacramento River could also be improved by redirecting the Colusa Basin drain into an extension of the Tehame Colusa canal (Ecosystem Restoration Program Plan - Volume 2: p. 153) Yolo County is also listed as being a possible site for a groundwater conjunctive use project (Revised Phase II Report: p. 89). We urge CalFed to include both the conjunctive use project and the Tehama-Colusa Canal extension in its consideration of storage and conveyance alternatives.

One of CalFed's underlying assumptions is that the thousands of acre-feet needed to support its goals of improving the water supply and enhancing the environment will primarily come from agriculture. In addition, water transfers are expected to cause extensive land fallowing. The increased cost of water (e.g., mandated efficiency measures, shifts from surface water to groundwater pumping, and new fees) may also result in reductions in agricultural production. Agricultural management programs to expand wildlife foraging opportunities will decrease crop yields even further. The radical downsizing of agriculture appears to be especially targeted in the Delta, which receives the brunt of conversion and restoration policy impacts. This appears particularly convenient, given the enormous demand anticipated by CalFed for new habitat land in this region. Certainly, acquisition costs will be greatly reduced if the land is no longer agriculturally productive due to a lack of water.

Water Quality

Under the CalFed Program, the Sacramento Valley region is expected to be a net water exporter to other areas. Transferred water usually would be surface water, with an increase in local groundwater pumping to make up the difference. In some cases, direct groundwater

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transfers would occur (EIS/EIR: p. 5.4-36 and -37). Groundwater quality in southern Yolo County could be adversely affected by increases in groundwater extraction. Groundwater containing high concentrations of boron may be drawn toward producing wells in the area (EIS/EIR, p. 5.4-29). Potential mitigation measures include: regulating or prohibiting groundwater pumping; increased water conservation and recycling efforts; developing groundwater basin management plans; treating water at the well head; diluting contaminants with higher quality water; and drilling new wells to prevent concentrated drawdown in one area (EIS/EIR, p. 6.2-29). The first mitigation measure would result in additional farmland fallowing and/or conversion, while many of the other measures involve significant new costs for water users with no proposal for reimbursement. Intensive use of injection wells and percolation ponds to replace depleting groundwater supplies increases salt and mineral leaching through the soil and create a greater potential for subsidence if not properly managed. Consequently, we urge that new mitigation measures be developed, that emphasize limiting water transfers in areas susceptible to overpumping to prevent adverse impacts to groundwater from occurring.

The EIS/EIR proposes new measures to regulate agricultural discharges within the Delta to reduce total dissolved solids, nutrients, and total organic carbon (Water Quality Program Plan: p. 3-11). The intent is to reduce the amount of contaminants in drinking water transferred to Southern California from the Delta. In particular, the Municipal Water Quality Investigation under the Department of Water Resources is considering required treatment of farm discharge, rerouting agricultural drains, detention ponds with release during high flows, conversion to low-tillage crops and/or pasture, and implementation of efficient irrigation methods (Water Quality Program Plan: pp. 3-18 and -18). Detention ponds and new drains will require the loss of more farmland, while new irrigation equipment and discharge treatment will increase production costs. The conversion to low-tillage crops or pasture will reduce farm income. These additional agricultural impacts should be taken into account when calculating the effects of CalFed on the agricultural economy, as discussed in Section 7.2 of the EIS/EIR.

The CALFED program has as one of its goals the reduction of organochlorine pesticides in the Yolo Basin (Multi-Species Conservation Strategy: Table C, p. 101). Strategies for addressing this concern include additional funding for the Natural Resource Conservation Service (NRCS) and Resource Conservation Districts (RCD) to promote erosion control practices. These practices may include: ditch tarps, surge irrigation, sprinkler gomination, drip irrigation, gated surface pipes, vegetated filter strips, sediment basins, integrated pest management, grassed waterways, and irrigation and nutrient management (Water Quality Program Plan: pp. 6-4 through 6-7). Financial incentive programs to implement these practices would be provided to farmers who wished to participate. The County enjoys a cooperate relationship with both the NRCS and the local RCD and strongly supports voluntary programs such as those described above.

CalFed states that historic mercury mining operations in the Coast Range are a significant source of mercury to the Bay-Delta region. Cache Creek, Sulfur Creek, Sacramento River, and Harley Gulch are all currently listed as impaired water bodies under Section 303(d) of the Clean Water Act due to mercury contamination (Water Quality Program Plan: pp. 4-3 through 4-5). The Bay-Delta Plan calls for the implementation of an extensive five-year program of data collection, evaluation, planning, remediation, and monitoring. The program would include, but not be limited to, fish surveys and studies; hydrological modeling and the installation of new

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stream gages; sediment transport analysis; investigation of downstream impacts; chemical conversion processes; and the effects of wetland habitats on mercury availability (Water Quality Program Plan: pp. 4-9 through 4-17). Although the sources of mercury are located outside of Yolo County, we support and will continue to take an active role in the research currently underway to reduce the levels of mercury being transported through our waterways and the continuing impacts on our economy and local widlife.

Our second issue related to mercury concerns dredging. In years past, levees were often repaired and enhanced with materials dredged from the adjoining channel. CALFED proposed to use alternate sources (rather than Delta in-channel sources) of levee maintenance material, such as: upland borrow sites, the Cache Creek settling basin, and sediment deposits from the Yolo Bypass (Ecosystem Restoration Program Plan - Volume 2: p. 103). Sediment deposits at the settling basin and bypass may contain amounts of mercury that have the potential to methylate when exposed to conditions found in some riparian environments. Yolo County recommends a mitigation measure to require the testing of all soils obtained from either the Cache Creek settling basin or the Yolo Bypass for mercury content prior to their use in levee construction. If mercury levels within the dredged material exceed state/federal standards, then the contaminated materials should be prohibited from use in any wetlands construction.

In general, Yolo County enjoys relatively good water quality. Boron, mercury, and turbidity create problems for wildlife and agriculture, and actions are being taken to address these issues, but they do not present any human health hazards. This precious resource should be conserved, not exported in volume to dilute contamination problems occurring in other regions. Yolo County's streams and groundwater must not be degraded to improve water quality in the Delta for export. Instead, efforts should be directed at remediating pollution at its source within each region, so that upstream and downstream users can all enjoy the benefits of a clean water supply.

Vegetation and Wildlife

The County strongly disagrees with the assertion that the greatest environmental need in the Yolo Basin is to restore the natural streamflow regime and to create connectivity from Cache Creek to the Yolo Bypass (Ecosystem Restoration Program Plan - Volume 2: p. 334). CALFED considers this action necessary to improve the habitat potential for anadromous fish in the tributaries. However, Cache Creek has not historically provided regular anadromous habitat, ending in a vast marshland of tules that prevented connection to the Yolo Bypass. Only during extremely high flood events was there a direct path from
the river to the creek, and it was only during these rare occurrences that salmon and steelhead found their way into the tributary.

The difficulties associated with creating new anadromous fish habitat in Cache Creek is acknowledged in the EIS/EIR, which states that Cache Creek may make minor contributions to fall-run chinook salmon populations in some years, although significant financial resources would be required to provide the necessary habitat. In addition, Cache Creek's contributions to the steelhead population may be small, due to the lack of frequent connectivity to the Yolo Bypass (Ecosystem Restoration Program Plan - Volume 2: p. 337). Moreover, the EIS/EIR points out that "Until such time as the source of mercury is identified and the contamination

remediated, Cache Creek should not be considered as healthy habitat for many aquatic species (Ecosystem Restoration Program Plan - Volume 2: p. 338). Consequently, we strongly urge that the Bay-Delta Program be revised to indicate that the greatest environmental need in the Yolo Basin is to locate and control the sources of mercury in the upper watershed of Cache and Putah Creeks that threaten the health of our streams.

In contrast to Cache Creek, the hydraulic connections between Putah Creek and the Yolo Bypass are clearly evident. This is reflected in CalFed's vision for the Putah Creek Ecological Management Unit, which promotes opportunities for enhancing chinook salmon and steelhead trout (Ecosystem Restoration Program Plan – Volume 2: p. 343). The efforts of the Putah Creek Council, Solano County, and the City of Davis in improving the riparian corridor have been critical in the restoration and integrity of Putah Creek. However, local organizations frequently do not have the extensive resources required to deal with watershed issues. Consequently, the County encourages CalFed to actively fund and coordinate with community-based groups to reestablish healthy anadromous fish habitat in lower Putah Creek.

The EIS/EIR states that the prevalence of non-native plant species, such as tamarisk and giant reed, is a major factor limiting the quality and extent of riparian and riverine aquatic habitats. This is especially true in areas adversely affected by past gravel mining, flood scour, and low streamflow (Ecosystem Restoration Program Plan - Volume 2: p. 335). One of the primary actions to be taken in the Yolo Basin Management Zone is the reduction of invasive non-native plant populations that compete with the growth of native riparian vegetation along Cache Creek and Putah Creek (Ecosystem Restoration Program Plan - Volume 2: p. 351) Yolo County endorses this approach and requests that CALFED expeditiously grant the funding requested by the Cache Creek Conservancy to remove large populations of tamarisk and giant reed from the Cache Creek corridor.

The EIS/EIR describes extensive conversion of agricultural land to habitat in the North Delta area, which includes that portion of Yolo County that lies south of Interstate 80. A summary of proposed projects within the North Delta Ecological Management Unit includes numerous projects, many of which are specifically targeted at the Yolo Bypass and nearby sloughs (Ecosystem Restoration Program Plan - Volume 2: pp. 85 through 97). These actions could convert nearly 25,000 acres, or approximately 20 percent of all farmland within the North Delta area. We are concerned that habitat restoration efforts may be overly concentrated in the Yolo Bypass and southern Yolo County, thereby threatening the agricultural heritage of Clarksburg and surrounding communities.

The impacts of CalFed on the local agricultural economy are discussed in detail throughout the EIS/EIR. However, there is a curious lack of information regarding the potential economic benefits accruing from improving habitat quality and expanding wildlife opportunities. The restoration programs discussed in the Ecosystem Restoration Program Plan may result in an increase in revenues from hunting, fishing, recreation, and tourism activities. To accurately assess the full impact of CalFed on local government budgets, it is very important to have all of the relevant information. As a result, the County strongly urges that the Final EIS/EIR include the development of additional economic analysis to estimate both the benefits and costs of environmental restoration and preservation.

On a positive note, the Yolo Basin Foundation was recently awarded a grant to develop a Yolo Basin Management Strategy, which will rely on extensive stakeholder input in creating a watershed plan for the Bypass. Similarly, Solano County received funding of a grant to create a Putah Creek Management Strategy, which will incorporate input from numerous residents, community groups, and other involved parties. The EIS/EIR notes that supporting the involvement of local citizens and interested parties in existing organizations such as the Cache Creek Conservancy and Cache Creek Stakeholders Group would help to restore and maintain Cache Creek. Developing a watershed management plan for the upper watershed could facilitate the restoration and maintenance of Cache Creek (Ecosystem Restoration Program Plan - Volume 2: p. 338). Similarly, developing a watershed management plan based on the lower Putah Creek management recommendations prepared in 1994 by the U.S. Fish and Wildlife Service and the Lower Putah Creek Coordinating Committee, would facilitate the restoration and maintenance of Putah Creek (Ecosystem Restoration Program Plan - Volume 2: pp. 340-341) The Board of Supervisors encourages CalFed to fund both these efforts to create a comprehensive framework for managing and enhancing our riparian resources, based on local stakeholder concerns.

On a similar note, the Plan proposes to improve management of 1,000 acres of existing seasonal wetland habitat in the Yolo Bypass, and to restore an additional 2,000 acres of seasonal habitat in association with the Yolo Basin Wildlife Area. Restoration of 1,000 acres of nontidal freshwater marsh in the Yolo Bypass is also proposed (Ecosystem Restoration Program Plan, pp. 93-94). Although we are concerned about the loss of agricultural land associated with such a project, the County is proud of the many outstanding accomplishments of the Yolo Basin Foundation and strongly encourages CalFed to provide additional funding to assist the Foundation in expanding their efforts.

Yolo County questions whether the Ecosystem Restoration Program Plan has gone too far in its ambitious effort to alter vast regions of the California landscape. In referring to the Plan, CalFed states: "In later years, the magnitude of the annual implementation program may be constrained by the annual availability of funding (Developing a Strategic Plan, p. 14)." The Ecosystem Restoration Program Plan is founded upon the concept of adaptive management which will require constant and extensive monitoring efforts, to ensure that actions taken are having their intended consequence and to provide strategies for alternative methods when actions fail. If long-term projections anticipate insufficient funding in future years to carry out the challenging plans under consideration, then a serious reevaluation is needed to guarantee that the visions currently being contemplated have not greatly exceeded the available resources.

Fees and Costs

According to the EIS/EIR, a wide array of funding sources will be required to implement the CALFED program, including:

1. A fee on all water diversions within the Bay-Delta watershed, to pay for the costs of the Ecosystem Restoration Program (Implementation Plan: p. 138);

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2. A fee on all water diversions within the Bay-Delta watershed, to pay for the costs of the Water Quality Program (Implementation Plan: p. 127);
3. A fee on water users and dischargers within the Bay-Delta watershed, to pay for the costs of the Comprehensive Monitoring, Assessment, and Research Program (Implementation Plan: p. 140-141);

4. A fee on all water diversions within the Bay-Delta watershed, to pay for watershed management programs (Implementation Plan, p. 146); and

5. Annual state and federal appropriations (Implementation Plan: p. 142);

6. General obligation bonds (Implementation Plan: p. 142); and

7. Water and power revenue bonds (Implementation Plan: p. 142).

For the purposes of the EIR/EIR analysis, diversion fees of $7 per acre-foot delivered for agriculture and $14 per acre-foot delivered for municipal and industrial users were assumed (Implementation Plan: p. 151). These funds could generate between $70 and $110 million annually (Implementation Plan: p. 155). It should be noted that the current price of irrigation water in Yolo County is generally between $12 and $13 per acre-foot. The proposed diversion fee would increase the price of delivered water to local farmers by nearly 60 percent.

The residential water efficiency program is considering the use of several best management practices for urban users, including: ultra low-flow toilets, horizontal axis clothes washers, home water use surveys, water metering, low flow showerheads, and landscape audits. Estimated costs to implement these programs range from $1,600 to $2,800 per acre-foot. These would likely be funded by a combination of cost-sharing assistance from CALFED and local increases in urban water costs (Water Use Efficiency Program Plan: pp. 5-49 through 5-51

All agricultural water users within the CalFed solution area will be required to achieve an 85 percent level of efficiency and irrigation system distribution uniformity will increase to between 80 and 90 percent (Water Use Efficiency Program, pp. 4-2, 4-3). Statewide farm irrigation efficiency currently averages 73 percent (Water Use Efficiency Program, p. 4-8). Both on-farm and district spending are necessary to obtain the anticipated levels of improvement. Generally, the cost to save irrecoverable water in the Sacramento River Region is estimated to range from $100 to $600 per acre-foot annually (Water Use Efficiency Program Plan: p. 4-59).

The Financing Plan expects that the total costs for implementing the CALFED program will be $5.17 billion during Stage 1 (approximately seven years), or $738.4 million per year. The EIS/EIR notes that this estimate does NOT include interest, inflation, operation and maintenance costs, state and federal agency implementation costs, or CALFED program management costs. No estimates are given for these additional, unspecified expenditures (Implementation Plan: pp. 154-155). These additional costs should be included in the Final EIR. In addition, the diversion fee is anticipated to pay for only 9 to 15 percent of the total annual CALFED program costs. Over $600 million per year will have to be provided from other funding sources for implementation. The Financing Plan should include an analysis indicating whether there is sufficient bond capacity available for the state, as well as projected future state

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and federal budget surpluses, to ensure that there are adequate additional funding sources to pay for the costs of the CALFED program.

The CALFED program represents a tremendous public investment, the enormous costs of which may restrict choices for the funding of other social priorities at the state and federal level. Given the range and cost of these proposals, the County does not feel that the CALFED program is affordable for local stakeholders. This especially applies to agriculture, which is expected to pay a variety of expensive fees to fund program administration. An equitable price structure is critical to ensuring that the burdens are fairly shared by all.

Conclusion

The CalFed Program is an extraordinarily complex project that challenges us to look beyond our County's borders and evaluate our role within the Bay-Delta watershed. However, we are concerned that CalFed focuses too often on a broad, state-wide perspective and often fails to see how the program will affect individual communities. The success of the Bay-Delta Program will rely heavily on the cooperation of hundreds of agencies, business groups, nonprofit organizations, and private landowners who are familiar with the unique characteristics of each individual watershed. We do not believe that CalFed can improve the health of the Bay-Delta system, by harming the social and economic foundations of local jurisdictions. CalFed has been working at a rapid pace to achieve an initial consensus among the major interest groups, but in the process has marginalized the serious concerns expressed by those of us who will be directly impacted by the Bay-Delta Program. More intensive efforts need to be made to provide local decision makers with meaningful participation in implementing the program. After all is said and done, despite billions of dollars in funding and volumes of new regulations, the CalFed Program will never succeed without the cooperation of everyone who has a stake in the future of the Bay-Delta watershed.

We welcome the opportunity to meet with CalFed staff to develop reasonable and effective strategies for achieving our mutual goal of protecting and enhancing Bay-Delta resources. If there are any questions about the issues discussed in this letter, please call David Morrison, Resource Manager, at (530) 666-8041. Thank you for the opportunity to provide these comments.

Sincerely,

Mike McGowan

Mike McGowan, Chair
Yolo County Board of Supervisors

cc: Secretary Bruce Babbit
Governor Gray Davis
Senator Dianne Feinstein
Senator Barbara Boxer
Congressman Doug Ose
State Senator Maurice Johanessen

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Assemblywoman Helen Thomson
Assemblyman Dick Dickerson